

Message Text

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ACTION EUR-12

INFO OCT-01 ISO-00 CIAE-00 DODE-00 PM-05 H-02 INR-10
L-03 NSAE-00 NSC-05 PA-02 SP-02 SS-15 ICA-20
SY-05 MCT-02 HA-05 /089 W
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R 281500Z SEP 78
FM AMCONSUL STUTTGART
TO SECSTATE WASHDC 4643
AMEMBASSY BONN
INFO USMISSION USBERLIN
AMCONSUL BREMEN
AMCONSUL DUSSELDORF
AMCONSUL FRANKFURT
AMCONSUL HAMBURG
AMCONSUL MUNICH
USCINCEUR VAIHINGEN GE
CINCUSAREUR HEIDELBERG GE

UNCLAS STUTTGART 1788

USCINCEUR AND CINCUSAREUR FOR POLADS

E.O. 11652: N/A
TAGS: PINS, GW
SUBJECT: TRIAL AGAINST TERRORISTS HAAG, MAYER AND SCHMITZ

REF: STUTTGART 1745

1. DELAYING TACTICS BY THE DEFENSE IN TERRORIST TRIALS IS
HARDLY NEW BUT THE DEFENSE IN THE HAAG-MAYER-SCHMITZ TRIAL IN
STUTTGART IS NOW TRYING A NEW ONE: POLICE BRUTALITY.

2. ON SEPTEMBER 26, THE SECOND DAY OF THE TRIAL, DEFENDANT
MAYER APPEARED IN THE COURTROOM WITH A SWOLLEN FACE AND A
BADAGED LEFT HAND. DEFENSE COUNSEL CHARGED THAT GUARDS AT
STAMMHEIM PRISON HAD ROUGHED UP MAYER AFTER THE COURT HAD
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ORDERED A COMPLETE CHANGE OF CLOTHESE FOR THE THREE DEFENDANTS
BEFORE ENTERING THE COURTROOM TO ENSURE THEY WERE NOT CARRYING
ANY CONCEALED WEAPONS. THE PRESIDING JUDGE INTERRUPTED THE TRIAL
TO PERMIT MAYER TO UNDERGO A MEDICAL EXAMINATION AND HE ORDERED
INVESTIGATION INTO THE INCIDENT.

3. ON SEPTEMBER 27 BADEN-WUERTTEMBERG MINISTER OF JUSTICE

EYRICH TOLD THE PRESS THAT MAYER'S ACCUSATIONS WERE A DISTORTION OF THE FACTS. WHEN PRISON GUARDS HAD BEEN FORCED TO UNDRESS BOTH MAYER AND SCHMITZ WHEN THEY REFUSED TO CHANGE CLOTHESE VOLUNTARILY BEFORE ENTERING THE COURTROOM, THE GUARDS HAD THEMSELVES BEEN "ASSAULTED AND INJURED" BY THE TERRORISTS. EYRICH SAID THAT IT WAS NOT STANDARD PROCEDURE THAT DEFENDANTS IN SUCH TRIALS MUST CHANGE CLOTHESE PRIOR TO ENTERING AND ON LEAVING THE COURTROOM.

(COMMENT: WE UNDERSTAND THAT THIS REQUIREMENT IS INTENDED TO AVERT THE POSSIBILITY THAT DEFENDANTS COULD CARRY BACK TO THEIR CELLS WEAPONS SLIPPED TO THEM IN THE COURTROOM BY DEFENSE ATTORNEYS, AS IS BELIEVED TO HAVE OCCURRED DURING THE BAADER TRIAL.)
MILLER

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NNN

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